

MICROCOPY RESOLUTION TEST CHART

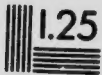
(ANSI and ISO TEST CHART No. 2)



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8.0



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To George Thomson, Esq., Statistician in C.

With the Compliment of the Author—

197

[B.C.] 2/0 Begg, Alex. Alexander Begg

STATEMENT OF FACTS

REGARDING THE

ALASKA BOUNDARY QUESTION,

COMPILED FOR THE

GOVERNMENT OF BRITISH COLUMBIA

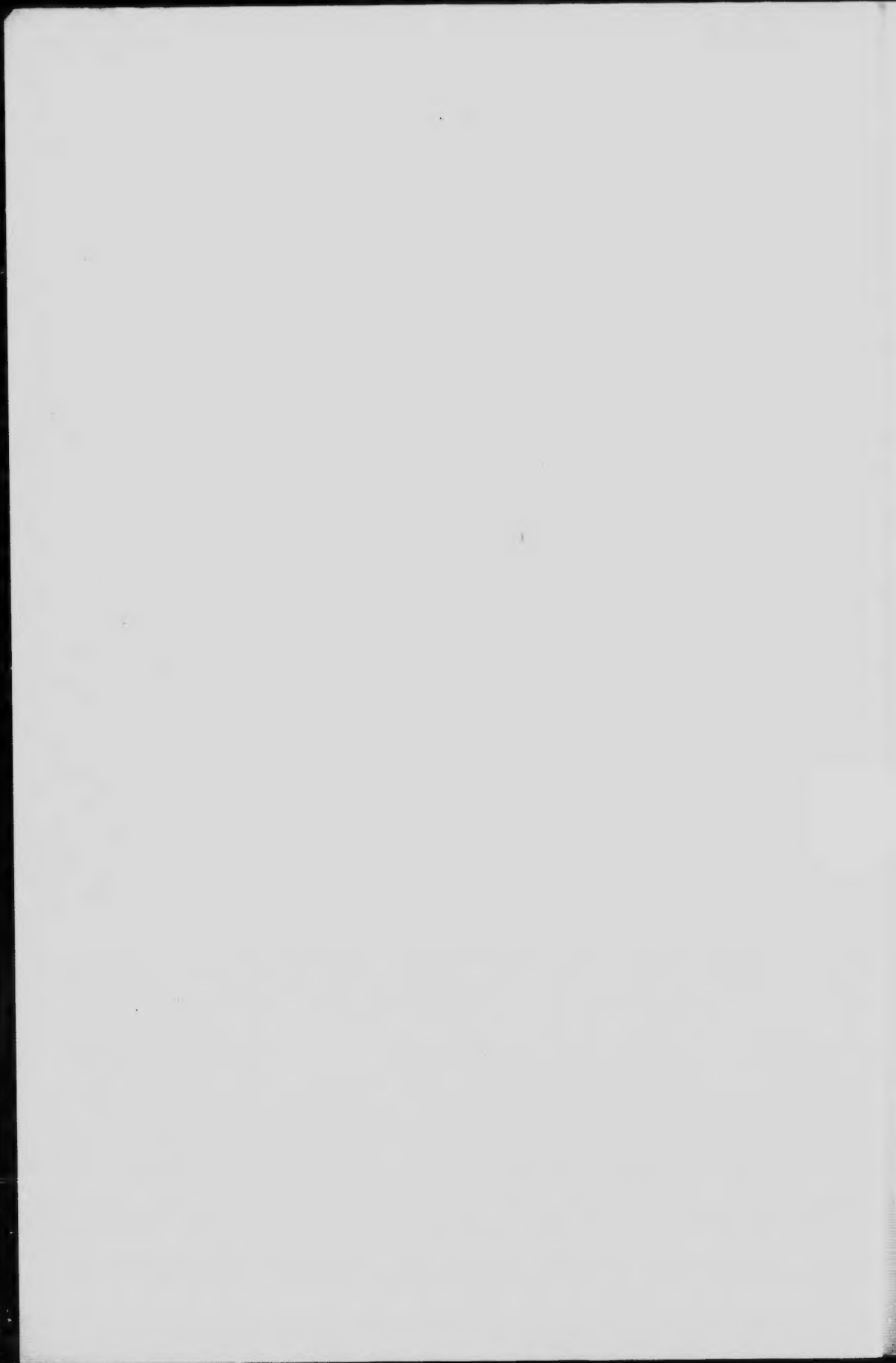
BY

ALEXANDER BEGG.



VICTORIA, B.C.

Printed by RICHARD WOLFENDEN, Printer to the King's Most Excellent Majesty.
1902.



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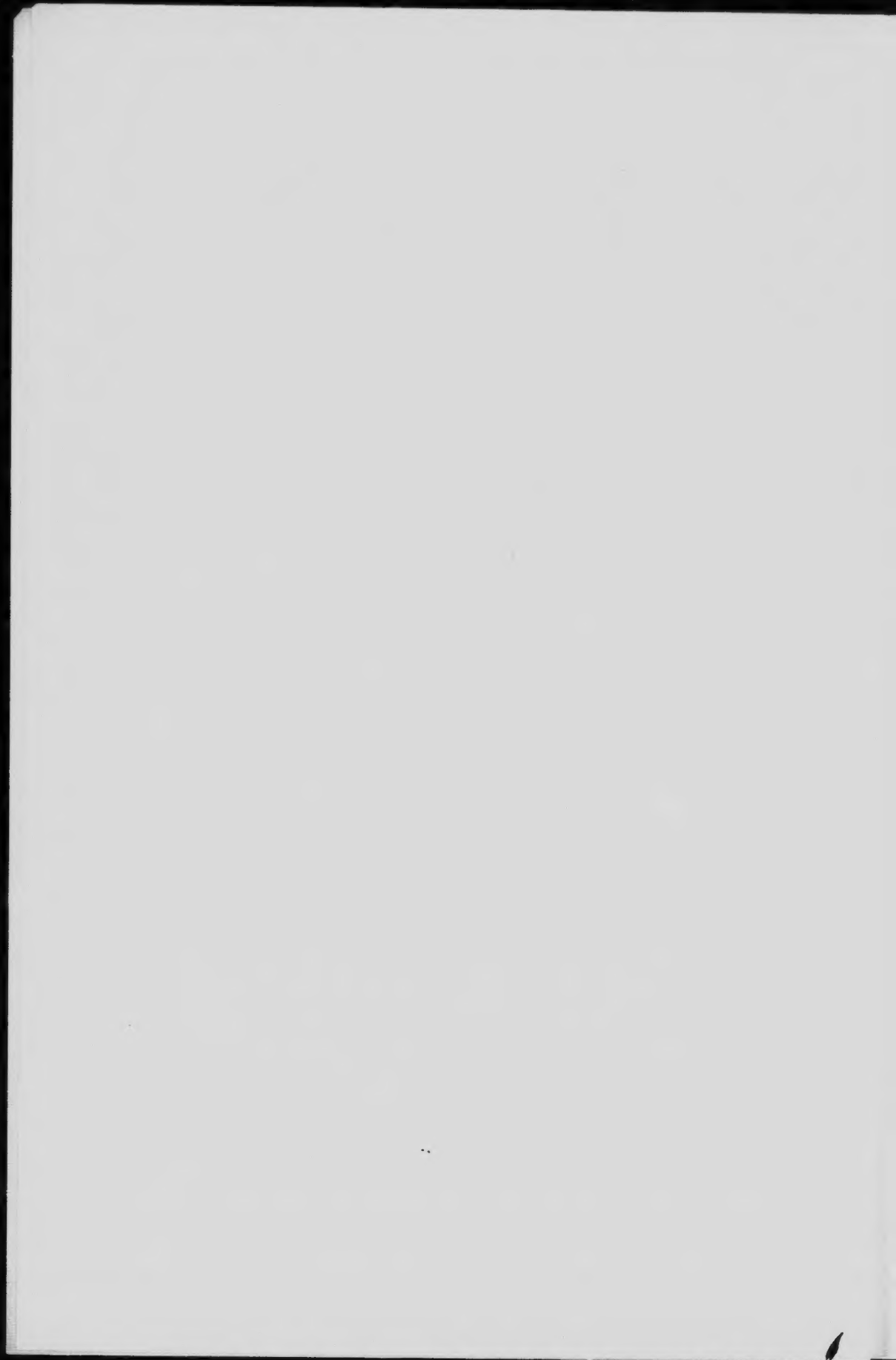
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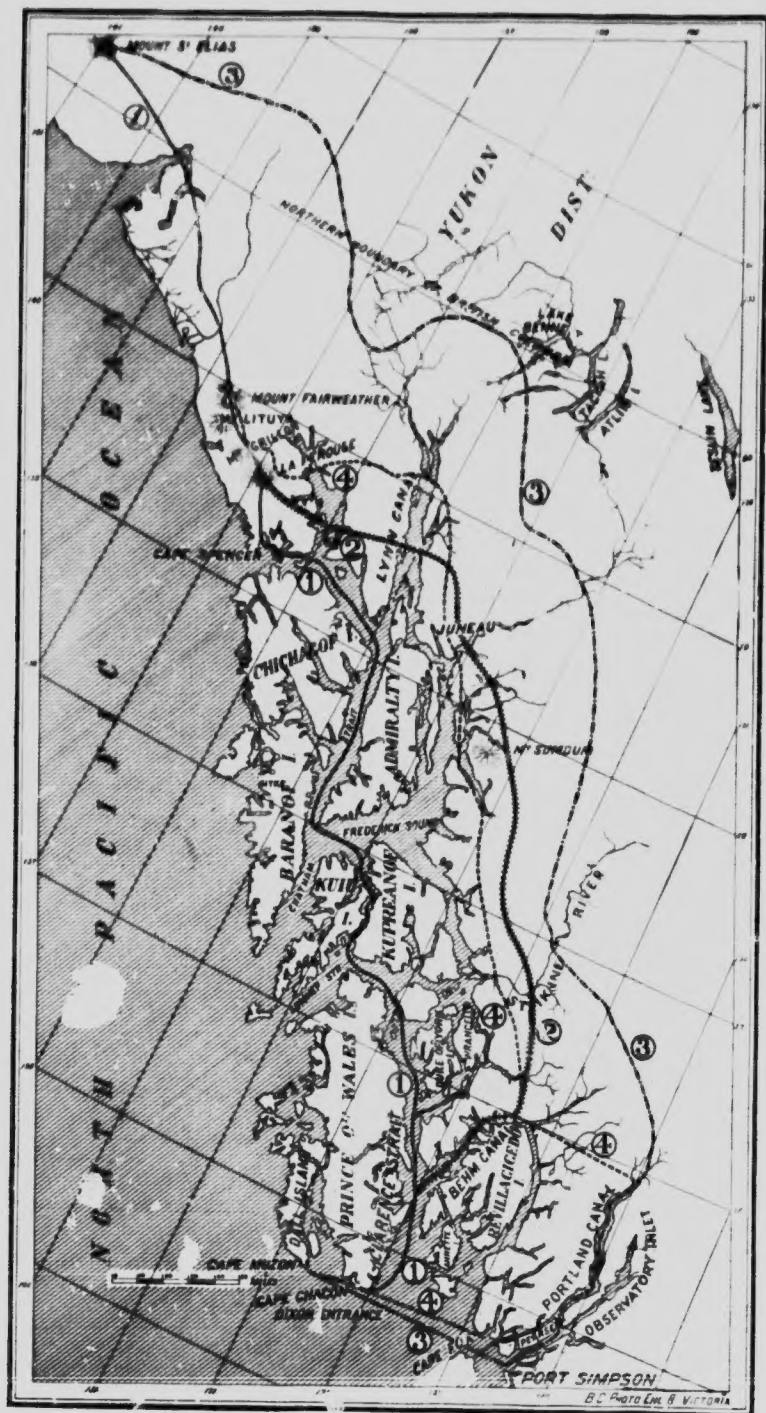
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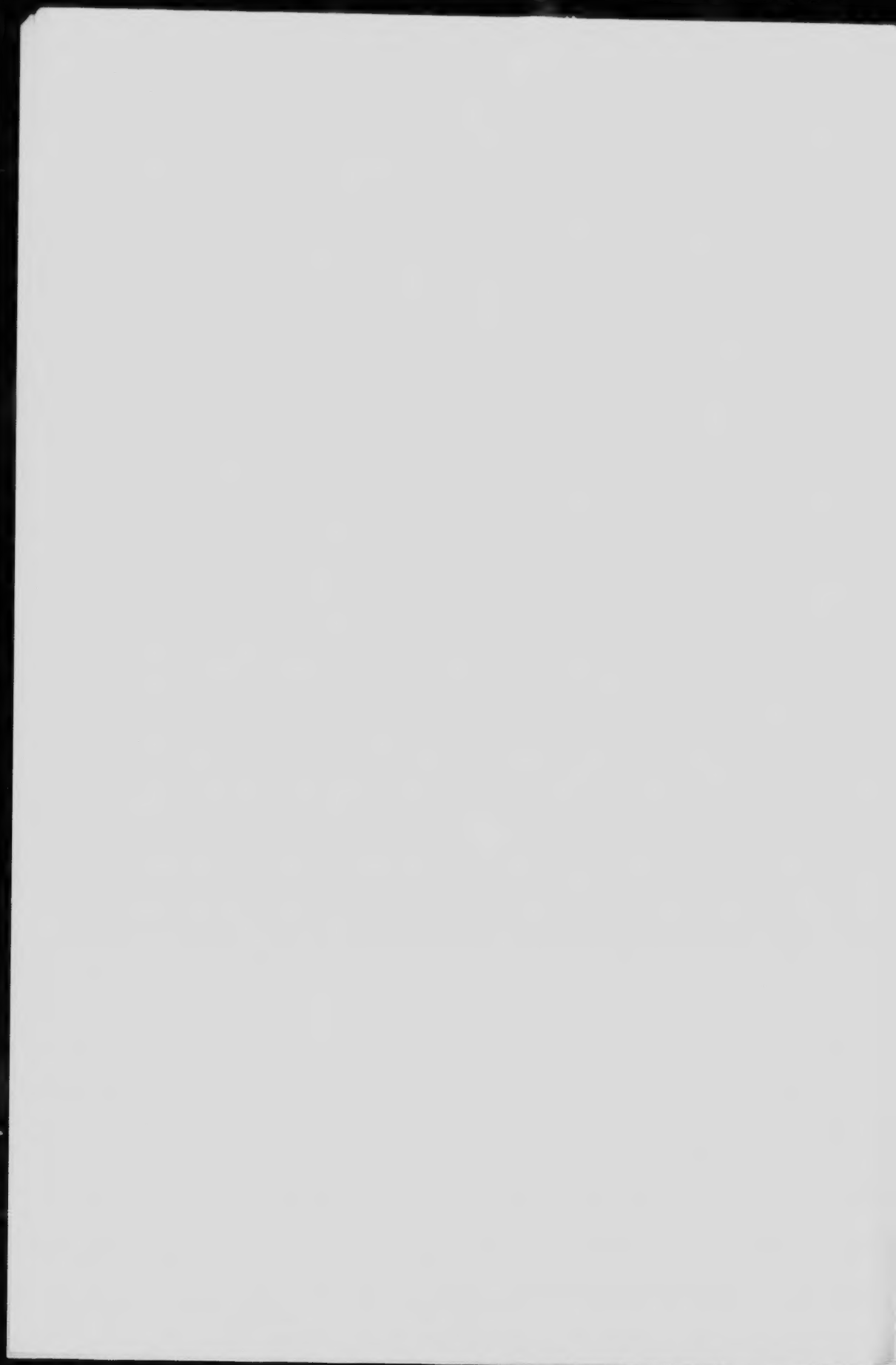




MAP OF SOUTH-EASTERN ALASKA JOINT COMMISSION SURVEY OF 1893-1895.

(1) Line according to the interpretation of the Treaty of 1825, by an expert, along Portland Channel, northwards from Cape Chukchi, and thence westerly, round the head of the Gulf of Alaska, and thence northwards to the Arctic Ocean.
 (2) Line as shown on British Columbia official maps, and official charts, published under the direction of the Hydrographic Survey of the United Kingdom, and on which is placed the *meander line* under agreement of 29th October, 1894, and which is claimed by the United States.
 (3) Line drawn on United States maps, and official charts, published under the direction of the Hydrographic Survey of the United States, claiming from Cape Mudge to the Arctic Ocean, and which claim has been, in many instances, squatted upon, and on which is placed the *meander line* under agreement of 29th October, 1894, and which is claimed by the United States.
 (4) Line as shown by the map published in the *Edinburgh Review*, April, 1890, as that which is claimed by British Columbia.

A. E.



REPORT

— ON THE —

ALASKA BOUNDARY QUESTION.

VICTORIA, B. C., 5th AUGUST, 1901.

*To the Hon. David MacEwen Eberts,
Attorney-General for British Columbia, etc., etc., etc.*

SIR, In compliance with your request that I should arrange in a convenient form for reference my investigations and conclusions relative to the Anglo-Russian Treaty of 1825, with a view to the settlement of the Alaskan Boundary, the following remarks are respectfully submitted:—

The greatest care and candour shall be exercised on my part in dealing with this international question, the magnitude and the importance of which are not easily realised. In by gone days, when the Treaty referred to was framed and passed, that portion of the American Continent, being little known, was not deemed of much value, except for fur hunting purposes. Lapse of time, however, has produced many changes, which require to be dealt with on their merits.

Statements which may be brought forward in connection with this question, or which may have been adduced previously, to be of value, should be susceptible of proof, and be founded, not on assumption, but on tangible, solid foundation. The aim of this report is to present the "Boundary Question" as free from doubt and ambiguity as possible, referring to both sides without bias or prejudice, keeping the Treaty continually in view as a guide.

The whole matter naturally resolves itself into two heads, which require to be fully investigated and examined and decided upon, namely, the contention of British Columbia, or Canada, or Great Britain, under the Treaty, on the one side, and the claims of the United States, with their purchase of the rights of Russia to Alaska in 1867, on the other.

It may be best to premise here that, in a former "review" of this boundary question, I have demonstrated that the passing of the Anglo-Russian Treaty was, chiefly, to protect Great Britain in her maritime rights against the extravagant claims made by Russia in 1821. In reference to this, the Right Hon. George Canning said (December 8th, 1824):— * * * * * "The whole negotiation grows out of the Ukase of 1821. * * * * * So entirely and absolutely true is this proposition that the settlement of the limits of the respective possessions of Great Britain and Russia on the North-West Coast of America was proposed by us only as a mode of facilitating the adjustment of the differences arising from the Ukase, by enabling the Court of Russia to withdraw, with less appearance of concession, the offensive pretensions of that edict."

The first point to be considered is the initial point of the line of demarcation, which is described in the Treaty as "commencing from the southernmost point of the island called Prince of Wales Island" (which is conceded to be Cape Chacon), "which point lies in parallel of 54 degrees, 40 minutes, north latitude, and between the 131st and 133rd degrees of west longitude (meridian of Greenwich), the said line shall ascend to the north, along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude; from this last mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and, finally, from the said point of intersection, the said meridian line of the 141st degree, in its prolongation as far as the frozen ocean, shall form the limit between the Russian and British possessions on the continent of America to the north-west."

Article IV.—With reference to the line of demarcation laid down in the preceding article, it is understood: "First. That the island called Prince of Wales Island shall belong wholly to Russia. Second. That wherever the summit of the mountains which extend in a direction parallel to the coast, from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude, shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of coast which is to belong to Russia shall be formed by a line parallel to the windings of the coast, and which shall never exceed the distance of ten marine leagues therefrom."

It having been conceded that the initial point of the line of demarcation, as declared in the Treaty, is Cape Chacon, it is now in order to examine the route or routes chosen, or which have been adopted as the boundary line by parties interested. Those lines are numbered on the accompanying explanatory map by the figures 1, 2, 3, 4, and will be examined seriatim. (*See map.*)

Boundary line marked No. 1 is drawn in accordance with the wording of the Treaty—i. e., "ascending to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude." As the maps published in 1824 did not give the name of the Channel, but described it, so as to leave no doubt that it was Duke of Clarence Strait, it is necessary, by way of explanation or interpretation, to refer to the despatches on this subject which passed between Sir Charles Bagot, the British Plenipotentiary at St. Petersburg, and the Right Hon. George Canning, then British Foreign Secretary, who had the matter in hand.

On July 12th, 1824, Mr. Canning sent Sir Charles a despatch, of which the following is an abstract:—"After full consideration of the motives which are alleged by the Russian Government for adhering to their last propositions respecting the line of demarcation to be drawn between the British and Russian occupancy on the north-west coast of America, and of the comparative inconvenience of admitting some relaxation in the terms of your Excellency's last instructions, or of leaving the question between the two Governments unsettled for an indefinite time, His Majesty's Government has resolved to authorise your Excellency to include the south points of Prince of Wales Island, within the Russian frontier, and to take as a line of demarcation a line drawn from the southernmost point of Prince of Wales Island, from south to north, through Portland Channel, till it strikes the mainland in latitude 56 degrees." * * * * "The advantages conceded to Russia by the line of demarcation are so obvious as to render it quite impossible that any objection can reasonably be offered on the part of the Russian Government to any of the stipulations in our favour. There are two points which are left to be settled by your Excellency. First, in fixing the course of the eastern boundary of the strip of land to be occupied by Russia on the coast." * * * * *

The foregoing extract seemed to have been based on "Statement D," enclosed by Sir Charles to Mr. Canning in a despatch dated March 17 29th, 1824, and which had previously been communicated by Sir Charles to the Russian plenipotentiaries. It says:—"It was in the hope of being able to conciliate those objects, considered indispensable by the Imperial Government," said Sir Charles, "and to determine without more delay a question which appeared of equal interest to both parties, to arrange definitely, at the actual time, when the plenipotentiary of His Britannic Majesty had the honour to propose, on his last conference with the plenipotentiaries of Russia, a line of demarcation which, while conserving to Russia for a southern limit on the islands, the degree of latitude suggested by the Ukase of 1799, would assign at the same time to Great Britain, for a limit on the mainland, the latitude of 56° 30' north."

"It would appear," Statement D continues, "that a line traced from the southern extremity of the straits named Duke of Clarence Sound, by the middle of those straits, to the middle of the straits that separate the islands of the Prince of Wales and the Duke of York, and the islands situate to the north of the said islands; thence towards the east by the middle of the same strait to the continent, and thence prolonged in the same direction and manner already proposed by His Britannic Majesty's plenipotentiary to Mount Elias, or to the intersection of the 141st degree of longitude, would form a line of demarcation which would conciliate, perhaps, in a satisfactory manner, the reciprocal interests, present and future, of both Empires in this part of the globe."

In "Statement D," it is also said, referring to the Hudson Bay Company's occupation:—"His Britannic Majesty could not, therefore, without sacrificing the interests of the Company, renounce the rights of sovereignty over the coast and the islands that immediately adjoin it,

up to 50° 30' north latitude, whichever might be the degree of latitude found convenient to be agreed upon, to be definitely taken as the limit between the two powers, as far as concerns the islands further west." Yet in the face of all the above testimony, Mr. Bayard, in writing to his ambassador in London (November 20th, 1895), requesting him to ask Lord Salisbury for a joint commission, amongst other things said:—"That no record has been found in print, or otherwise, as far as sought, of the circumstances attending the drawing up of the Anglo-Russian Convention of 1825, which would throw light on the understanding of the negotiators on this point, but it may be assumed with confidence that the charts employed in the negotiation were those of Vancouver. * * * * * The fact that the parallel of 54° 40', by the most recent surveys, enters the mouth of Portland Inlet." * * * * *

The wording of the Convention of 1825 is found to be in complete accord with the features presented by Vancouver's chart No. 7. But the "Portland Inlet" is altogether to the east of the specified line of demarcation, nor is it mentioned in the Treaty. Mr. Bayard, at the commencement of his letter above referred to, speaks of "the waterway from Prince of Wales Island and through the Portland channel," but neither he nor the ambassador mentions Cape Muzon in the communications requesting the appointment of a Joint Commission.

The limit assigned in the Treaty is evidently the 56th degree of north latitude, as stated, "along the middle of the same strait, south of Duke of York Island, to the continent." It is also evident that the actual line of demarcation only ascends to the north along Clarence Strait or Sound "to the middle of the straits that separate the islands of the Prince of Wales and the Duke of York and the islands situate to the north of the said islands. Those islands to the north of the Duke of York Island (since named 'Etolin') are Wrangel, Zarembo, Mitkof, Kupreanof and Admiralty Islands." It, therefore, becomes necessary to retrace the "limit line" from the point on the continent at the 56th degree of latitude, and proceed westward in Ernest Sound, along the said "limit line" to where the divergence on the initial boundary line from Cape Chacon took place, at a point nearly half-way along the island coast, which should be permanently marked by a beacon; thence north-westerly along the eastern shore of Prince of Wales Island until its most northerly point is reached, opposite the channel which divides the Island of Kuui from Kupreanof, and along that channel north to Prince Frederick Sound. On reaching the 57th degree of latitude the conventional boundary line would follow Prince Frederick Sound to Chatham Strait; thence the line would be continued to Icy Strait or Taylor Bay, for convenience in landing on "the strip of land" provided by Treaty on the continent (within ten marine leagues from the ocean coast), to the intersection of the 141st meridian. This completes the conventional line of demarcation from Cape Chacon, by a practicable water boundary and strip of land, to the intersection of the 141st meridian, at or near Mt. Elias.

It seems pertinent to enquire how the name "Duke of York Island" has disappeared from the United States maps and charts and also from Canadian maps, and the name "Etolin Island" substituted. The island Duke of York is an important land-mark, which is quoted and referred to, as will be observed, by Sir Charles Bagot in the negotiations and despatches in framing and arranging for the passing of the Anglo-Russian Treaty. It appears in Vancouver's maps and charts.

By tracing the line of demarcation from the Arctic Ocean south along the 141st meridian to Mount Elias, and thence westward, ten marine leagues from the ocean coast, along "the strip of land" to Cross Sound, and thence southerly, along Icy Strait, Chatham Strait, Frederick Sound, and southerly by the channel between Kuui and Kupreanof Islands to meet the line of demarcation from Cape Chacon at the northern end of Prince of Wales Island, would complete the suggested conventional water-boundary—convenient and practicable between Cape Chacon and Taylor Bay at Cross Sound. The "limit line" required by the Treaty would continue to exist through Ernest Sound, to point out how far south amongst the islands to the north of the 56th parallel of latitude Russia was permitted to approach under the Treaty—which is binding in like manner on the United States, in their cession of Russian rights and privileges by the purchase of 1867.

It follows, therefore, to make the boundary line along the eastern coast to Prince of Wales Island complete (though now dormant), that the "limit line" from the point on the continent (the 56th parallel of north latitude) which it reached, according to the provision of the Treaty, must also, to fill the conditions of the Treaty to reach the 141st meridian, be retraced and prolonged to where it will meet and join the initial line of demarcation from Cape Chacon, and thence, merged with the initial treaty line, follow it to Mount Elias.

Next, turning attention to line of demarcation No. 2. It is shown on the explanatory map as the assumed boundary on the official maps of British Columbia, published under the direction and authority of the Department of Lands and Works, Victoria, B. C. The boundary, as marked, commences at Cape Chacon and ascends to the north, according to the Treaty, through the channel (called Portland Channel) until it reaches the opening at the western arm of Behm Canal; thence it follows that channel to Burroughs Bay, to where the 56th parallel of latitude crosses that bay from the west. This point, however, is not where the 56th parallel of latitude strikes the continent by passing through Ernest Sound. In the Report of a Committee of the Executive Council of British Columbia (in 1885), on the question of the boundary between Canada and Alaska, Mr. Justice Gray misapprehended the interpretation and true meaning of the Treaty in this particular.

There is a map published by Mr. Gosnell in connection with his Year Book of 1897, which shows the "limit line" passing along Ernest Sound in manner similar to the route laid down in No. 1, from Cape Chacon. On that map the line is continued from 56, where it is supposed to meet the continent, and passes along the coast to Juneau, &c., as outlined in No. 2; but does not comply with the requirements of the Treaty by remaining ten (10) marine leagues from the ocean coast. Besides, not being in accordance with the wording of the Treaty, much of the line of demarcation north of latitude 56 is through an impracticable country abounding in glaciers, precipices and deep ravines, entirely unsuited for an international boundary line. This portion of the line at latitude 56 should be changed to the prolongation of line No. 1.

The line numbered 3 on the explanatory map is that claimed by the United States, and is so marked on their official maps and charts. It commences at Cape Muzon, which is a point at the southern end of Dall Island (not mentioned in the Treaty), and thence proceeds east and continues in that direction to the southern entrance of Observatory Inlet and Portland Canal, in defiance of the plain directions of the Treaty, that the line should commence at Cape Chacon—that is, the most southern point of Prince of Wales Island—and ascend to the north through the channel (called Portland Channel), &c.

Portland Channel of the Treaty was then known as Clarence Strait, and as shown in Vancouver's map and charts passed entirely around the northern end of Prince of Wales Island. This fact, along with the "limit line" to where the Treaty required it to meet the continent at 56, doubtless gave rise to the name *Portland Channel*. The whole is unmistakably described by the Right Hon. G. Canning in his dispatch to Sir Charles Bagot, in framing the Treaty of 1825, and has been referred to in a former part of this report. It shows clearly that there is nothing in the Treaty to warrant or authorise the line to take the *east* course instead of proceeding *north*. Besides, if this interpretation "ascending to the north" be adopted as correct, there can be no advantage of the other conventions, which are based on a *mistaken direction*, and have nothing but assumption to support them. It only requires a reference to the meridian lines, mentioned in the Treaty itself, which places the boundary line between the 131st and 133rd meridional lines. *Portland Canal*, being entirely to the east of the 131st meridian, cannot have a place on the boundary, and nullifies the United States claim to line No. 3. (See Appendix. Line No. 4 on map.)

The commencement of the boundary line from Cape Muzon was first advocated, as far as can be learned, by Mr. Mendenhall, in an article which he supplied to the *Atlantic Monthly* (April, 1896). That paper commences by quoting the opening sentence of Mr. Charles Sumner's speech in 1867, in the Senate, in advocacy of the ratification of the Treaty by which Russia ceded to the United States her entire possessions in America. Mr. Sumner said:—"In endeavouring to estimate its character, I am glad to begin with what is clear and beyond question. I refer to the boundaries fixed by the Treaty." He did not appear to have suspected that by coming into possession of the great territory, whose purchase he so ably advocated, the United States would find itself involved a quarter of a century later in two controversies with Great Britain—the Behring Sea controversy. "The Alaska boundary is quite worthy of separate consideration, and it will be a misfortune if any ill-considered Act shall result in its being merged with other questions of less importance, and subjected to the by no means uncertain chances of arbitration."

Mr. Mendenhall will surely admit that changing the initial point of the boundary to another island to that mentioned in the Treaty, and proceeding over fifty miles in a direction contrary to what is stipulated in the Treaty, is an "ill-considered Act," and apparently can only be settled justly by arbitration. But Mr. Mendenhall proceeds:—"The description in the Treaty says: 'Commencing from the southernmost point (Cape Muzon), &c., the said line shall ascend

to the north along the channel called Portland Channel." A sketch map is furnished along with the article referred to, in which Capt. Vancouver's *Portland Canal* is named *Portland Channel*. An explanation is also furnished, "that one must proceed to the east for about fifty miles in order to reach the entrance of *Portland Channel*, or *Portland Canal*, as it is often called." To be correct, however, Mr. Mendenhall should have said: "It was named *Portland Canal* by Capt. Vancouver, but was not known by the name *Portland Channel* until 1867, after the United States claims were formulated." (See Appendix No. 7). *Portland Canal* cannot be reached from Cape Chacon (the initial point of the boundary) by following the directions of the Treaty.

After many references, twists and explanations, Mr. Mendenhall concludes the article by stating: "The truth is, Great Britain is meeting our wishes in this matter (of arbitration) with almost indecent haste, because the arbitration of the Alaska boundary line, by which she hopes and expects to acquire an open sea coast for her great North-West Territories, and to weaken us by breaking our exclusive jurisdiction north of $54^{\circ} 40'$, is enormously more important than anything she is likely to gain or lose in South America. Having driven her to accept arbitration in this case, it will be impossible for us to refuse it in Alaska, and we shall find ourselves again badly worsted by the diplomatic skill of a people who, as individuals, have developed intellectual activity, manliness, courage, unselfish devotion to duty and general nobility of character elsewhere unequalled in the world's history, but whose diplomatic policy as a nation is, and long has been characterised by aggressiveness, greed, absolute indifference to the rights of others, and a splendid facility in ignoring every principle of justice or international law whenever commercial interests are at stake."

Line No. 4 appears on a map published, together with an elaborate article, in the *Edinburgh Review* (April, 1900). The line has no explanation given in the text. It commences at Cape Muzon; it passes Cape Chacon; it continues an eastern course to Pearse Island; thence along the water-way between that island and the mainland to the entrance of Portland; thence along Portland Canal to its northern end, where it makes an acute angle west to Burroughs Bay, where the 56° of north latitude is supposed to touch the continent, thus describing a new line, which from Burroughs Bay is prolonged north-westerly along the frontier of British Columbia to Juneau and Berner Bay and, crossing Lynn Canal, proceeds to Mount Elias, and is marked on the map referred to as the "boundary claimed by Canada." The whole line from Cape Muzon is incorrect. No such line has been published, with authority, as claimed by Canada, or at least by British Columbia, the portion of Canada most directly interested in the settlement of this question, according to the treaty.

In the article on the "Alaska Boundary," referred to in the *Edinburgh Review*, it is remarked (page 286), that the limit to the Russian possessions on the continent of America, established by the Treaty of 1825, is in part a natural boundary and in part a meridian line. From the head of Portland Canal it follows the summit of the mountains situated parallel to the coast (subject to an alternative proviso to be considered hereafter), etc. The use of the name *Portland Canal* in this instance is incongruous and must be objected to. A paragraph, page 287, reads as follows:—"Having ascertained (from the Treaty) the southernmost point of Prince of Wales Island, one is suddenly confronted by the fact that between it and Portland Channel (should be *Portland Canal*) sixty miles of open ocean intervene. Furthermore, Portland Channel (evidently should be *Portland Canal*) lies almost due east from the southernmost point. How, then, is the line joining the two to ascend to the north? Again, the line is to ascend to the north along Portland Channel (should be *Portland Canal*), until it strikes the 56^{th} degree of north latitude. But Portland Channel (should be *Portland Canal*) does not attain to latitude 56° , and there is no provision made for the course the line is to take between the head of the channel and the point where the mountains situated parallel to the coast are crossed by that parallel." The error consists in substituting the name channel for canal.

Then follow the all important questions: (1) "Which are the mountains situated parallel to the coast?" and (2) "What is the coast?" The writer in the *Edinburgh Review* quoted asks those questions, but does not answer them. He remarks (page 288): "At the outset it may be observed that there exists a very general agreement to the effect that the negotiators of the Treaty of 1825 relied largely upon Vancouver's charts and the narrative of his voyages for their information respecting the physical features of the country with which they found themselves called to deal. Both parties concur in holding Cape Muzon to be the southernmost point of Prince of Wales Island, though, as a matter of fact, it is not on Prince of Wales

Island at all, and both acknowledge that the body of water to-day known as Portland Canal is, despite the erroneous description in the Treaty, the channel along which the line is to ascend. Here, however, the agreement ends."

There is no such an agreement. Portland Canal was so named by Vancouver. It retains the name, the same as on his charts, to this day. Portland Channel was not named by Vancouver. It received its name from the negotiators of the Treaty of 1825, as already referred to in this report. It is so named in the Treaty; but the name Portland Canal is not mentioned in the Treaty, nor was that body of water intended to be used as a portion of the boundary line. Most determined efforts have been made to substitute the waters of Portland Canal for those of Portland Channel; but, fortunately, the description contained in the despatches between the British plenipotentiary at St. Petersburg have exposed the attempt to defraud Canada of the frontiers of British Columbia, containing about thirty thousand square miles of land.

In the appendix to this report several obtuse points will be referred to and made clearer by fuller extracts, which will show misrepresentations that have been corrected. For example (page 288, *Edinburgh Review*), it is stated that "the British contention is that the Portland Channel of the treaty is the channel so marked on Vancouver's charts, and described in the narrative in terms that leave no doubt as to the body of water to which he intended them to apply." The fact is that Portland Channel is not once mentioned either in Vancouver's maps, charts, or in his narrative of survey or voyages. Portland Canal is frequently mentioned and fully described.

The *Review* continues: "The deflection desired by the United States would give that Power the principal islands lying at the entrance of Portland Canal, and thereby the command not merely of the Inlet, but also of the harbour of Port Simpson in British Columbia, which, by reason of its natural advantages, is destined to become an important commercial and strategic point. In support of this claim it is agreed on the side of the United States that the line, departing from the southernmost point of Prince of Wales Island, should follow along the parallel of 54° 40', which would bring it in at the mouth of Observatory Inlet. They base their contention on the fact that this latitude is expressly mentioned in the treaty, in connection with the point of commencement, and they urge that the reason of the omission that the boundary should proceed along the parallel is that the repetition was considered unnecessary."

"The Canadians reply," so the *Edinburgh Review* says, "that when in the course of the negotiations of 1823-5, Russia was forced to abandon her extravagant pretensions put forward in the Ukase of 1821, she took the stand upon the charter of the Emperor Paul, and claimed down to 55°. To that line she stubbornly adhered throughout. Inasmuch, however, as the parallel of 55° cuts Prince of Wales Island near its southern extremity, the Russian plenipotentiaries proposed that the portion of the island below that line should be included in the Russian possessions. In order to effect this result, the starting point was fixed at the southernmost point of Prince of Wales Island, which happens to be in latitude of 54° 40'. Thus, the extension to 54° 40' was merely a local exception to fit a particular case. For similar reasons of convenience, the continental line was carried south a few minutes of latitude to Portland Canal, which affords the first natural boundary on the continent, south of 55°."

"There can be little doubt, from the text of the treaty," the *Review* adds, "that the southernmost point of Prince of Wales Island, and not the parallel of latitude, was intended as the point of beginning. * * * * * Seeing that the line is to ascend 'to the north,' a claim that it is first to run sixty miles due east along a parallel of latitude seems manifestly untenable."

"Canada," the *Review* continues to add, "also contends that, having determined that point of departure (Cape Muzon), and also the place on the continent where the boundary strikes the coast (the mouth of Vancouver's Portland Channel), it is agreeable to the rules of legal construction to hold, in the absence of any specific directions, that the line joining those two points should take the shortest way, which is not a parallel of latitude, but along the arc of a great circle." But there have been "specific directions" provided in the case, in the treaty, and in the negotiations by the directions of Mr. George Canning, as formerly stated in this report, that the line should proceed from south to north along Portland Channel to where the 56th parallel of latitude reached the continent. To effect this, Clarence Strait or Sound, and Ernest Sound, were used.

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The aim of this report is to place before you and the Government of Great Britain the true state of affairs relative to the *claims* of the United States regarding the Alaskan boundary, which hundreds of British Columbians, as well as many Eastern Canadians, look upon as unjust, and apart from the requirements and provisions of the Treaty of 1825. It is not generally realised how much British Columbia has been wronged by the encroachments of our neighbours on account of this boundary question. Those encroachments, coasting regulations, etc., are continually increasing and becoming more and more irksome, vexatious and intolerable. The prosperity of this remote portion of the British Empire depends greatly on the retention of the fisheries, etc.; in fact, all the "Prince of Wales Archipelago" east of the Treaty arrangement of "ten marine leagues from the ocean coast." If the fact of being a British subject ensures protection by the whole Empire, if required, surely such a valuable and desirable portion of the Empire as is included in the reservations of the Treaty should not be carelessly handed over to a foreign power, to the detriment of British subjects. Our neighbours profess, in an abstract way, great friendship for British Columbia, but, where the "almighty dollar" comes in it may be called "hollow friendship," witness Skaguay, Porcupine, and the string of canneries mentioned in my preliminary report to you of 12th June, 1901.

In the *Mining and Scientific Press*, San Francisco (September 7th, 1901), I notice an elaborate report of mining, etc., of the District of Ketchikan. It says: "Ketchikan, from which the district gets its name, was, in April, 1899, a salmon saltery, with a population of about twenty whites and twice as many Indians, all dependent on the salmon fishing business. It is situated on Tongass Narrows, on Revilla Gigedo Island, on the inside route taken by all the steam vessels sailing between Seattle in Washington and Juneau and Skaguay in Alaska. It is at the present time the most central and generally accessible point for all the mines and small mining camps that have been established in the district. Its growth started in 1899, and has continued steadily and substantial ever since. At the present time the population is about 750. The town is incorporated, has water works, a fire department, a school, a church, three large general stores and nine outfitting establishments, hotels, a weekly newspaper, and a large salmon canning establishment. It is a port of entry, and all vessels taking the inside route enter Alaska enter and clear there. It is the mail-distributing centre for all the other post-offices in the district, and the home port of a local steamer line, which distributes the traffic which the mining is building up."

"The area of the Ketchikan mining districts includes all South-Eastern Alaska, south of Wrangel, to the International Boundary— an area, roughly, 130 miles north and south, by 150 miles east and west. Of land and water it takes in about 20,000 square miles. Besides the mainland from Portland Canal, nearly to the Stikine River, it includes a great number of islands, principal among which, at the present time, by reason of mineral discoveries, are Prince of Wales, Revillagigedo, Annette, Gravina, Dall and Kosciusko. * * * * The topography of both the islands and the mainland is mountainous. * * * * The mining history of the district is very recent.

"Prince of Wales Island is 130 miles long, and from 10 to 40 miles wide. Its area is 2,650 square miles, and its coast line, following it into all the inlets and harbours, is not less than 800 miles in extent. Practically, all of the island that has been explored has been found more or less mineral-bearing. Except in the central section, including the region of Kassan Bay and Cholmondelay Sound, the exploration has not gone far inland from the coast. The section of the island north of a line drawn west across the island from Tolstoi, has not been prospected, even along the beaches.

"Prince of Wales Island is fairly to be considered a commercial proposition. In the five noted localities in which copper is the leading metal developed, and in the two in which quartz gold is predominant, minable values in enormous quantities have been proven. That is to say, the raw material of wealth from minerals exists: the problem is simply the realising of it at the least cost, all things considered. In a general way it can be stated that any kind of plant can be installed without a single item of extraordinary cost. The maintenance of labour, the cost of living, is cheaper than in any interior mining district in the United States. The cost of transporting production to market can be made the lowest of any district in the United States."

From the foregoing it is evident that Prince of Wales Island is a very valuable and desirable possession, and doubtless was intended by Great Britain when the Treaty was framed to be, along with other large islands on the ocean coast, a fair equivalent of the Russian terri-

torial claims, and amply sufficient to accommodate any industry or trade which might be engaged in; and so it was arranged in the Treaty.

The Right Hon. George Canning, in his dispatch to Sir Chas. Bagot, 20th January, 1824, in referring to the questions at issue between Great Britain and Russia, characterised them as "Firstly, an extravagant assumption of maritime supremacy; secondly, an unwarrantable claim of territorial dominions;" and now, under the claim of the United States, to make a present to them of this immense and valuable portion of Alaska, beyond the ten marine leagues' limit, east of the ocean coast, amounting to about 30,000 square miles, is certainly an extraordinary and extra-liberal exemplification of Mr. G. Canning's description of an "unwarrantable claim of territorial dominions," and especially when the Treaty excludes all except what may be within ten marine leagues from the ocean coast.

But of more importance still to the British Empire is the correct interpretation of the Treaty, when taken in connection with the strategic position of Prince of Wales Island and Portland Canal, as regards the diversion of the initial point of the boundary line from Cape Chacon, which, if permitted to be changed at the *ipso jure* of the United States, becomes of the greatest importance to Great Britain. Cape Chacon, as the initial point, should be maintained inviolate. It is my conviction that no variation should be permitted to substitute Cape Muzon, or any other point than that named in the Treaty, as the initial point. It would be opening the door for a foreign power to establish a "Gibraltar" near Port Simpson, which will, in all probability, within a very short period, become the western terminus of a transcontinental railway. Instead of allowing Cape Muzon to be named as the initial point of the boundary line, the whole of Dall Island should be claimed by Great Britain as belonging to Queen Charlotte Islands, and not included in the Treaty of 1825. (See page 5, "Alaskan Boundary Review.")

By reference to the appendix, hereto annexed, special information on the boundary question will be found, as well as various views relating to the claims proposed by the boundaries marked on the explanatory map. My report, dated June 12th, 1901, will be found to contain much useful information. It should rouse up British Columbia to make strenuous efforts to have their valuable heritage restored.

Respectfully submitted,

ALEXANDER BEGG.

APPENDICES.

Addenda to Report.

This addenda, with its references and explanations, extends over many years, and as it is intended to be exhaustive, to meet the various points and claims advanced by the purchasers of Alaska from Russia, and dealing, as it does, with the articles of writers in the United States magazines and the United States press, must of necessity be voluminous, and in rebutting and refuting statements a few repetitions may occur, yet were considered sufficiently important to be noted.

The principal object which I aimed to arrive at, and which I believe I have accomplished, as submitted in the foregoing report, was to simplify the question, to make it more fully understood by confining it to first principles and facts; and that its settlement, if to be guided by the Treaty, should be dealt with in a common sense manner, agreeably to, and in conformity with, the wording, "spirit and intent" of the Treaty, as it was passed and agreed upon to and between Great Britain and Russia in 1825, and also as it was used *verbatim et literatim* in the cession of Alaska by Russia to the United States in 1867.

Delays in delimiting the boundary line, and the difficulties which have been built around this question, are apparently incongruous. Taking the Treaty as the guide there is nothing verbose about it. It is plain and pointed. The initial point of the boundary line is clearly described. The parallel of latitude, $54^{\circ} 40'$, is mentioned, and where it is to be found on the map; so is the meridian of longitude, $132^{\circ} W.$, which agrees with the latitude at the southernmost point of Prince of Wales Island—it cannot be mistaken. The longitude of the line of demarcation is pointed out and hedged between the 131st and 133rd meridional lines, which also agree with Cape Chacon, the latitude and point as laid down. It cannot be any other point or cape under the Anglo-Russian Treaty of 1825. The line then "proceeds north," or ascends to the north along "Portland Channel," to latitude 56° and is more fully explained in the appendix.

Wales Island borders on Pearce Island and is situate opposite to Port Simpson. The name, which was given to the island by Captain Vancouver in honour of one of his friends in 1795, is not inserted in the sketch map herewith: but that is of no consequence, as the island has no relation to the boundary, although it has been ridiculously connected therewith by some of the more recklessly-greedy advocates of the Portland Canal route.

From the foregoing it would seem that what was needed to settle this boundary question of location fairly is not more light, but the application of common sense and honesty in interpreting the Treaty by the light which it furnishes. There are only four cardinal points in the mariner's or civil engineer's compass, viz., north, south, east and west. Two of those, from south to north, are imperatively mentioned in describing the direction of the line of demarcation in reaching the 56th parallel of latitude. (See appendix and "Review," pages 6 and 13.) Strange to say, the name, "Duke of York Island," inserted by Captain Vancouver in his maps and charts, is given and referred to in the Treaty negotiations, but is expunged from all United States maps and charts, and the name "Etolin Island" substituted therefor. The same change is made in maps published by the authority of British Columbia. Why is this? (See appendix and "Review," pages 11, 15, 18 and 19.)

British Columbia as a Colony only dates from 1858, when the Fraser River gold excitement was at its height. An Imperial proclamation, dated August 2nd, 1858, constituted the mainland of New Caledonia into a British Colony, and defined that it should be bounded on the south by the frontier of the United States of America, to the east by the main chain of the Rocky Mountains, to the north by Simpson River and the Finlay Branch of Peace River, to the west by the Pacific Ocean, including Queen Charlotte Islands, but no part of the Colony of Vancouver Island.

An Imperial Act was passed in 1863 to define more particularly the boundaries of the Colony of British Columbia, specifying the western boundary to be the Pacific Ocean and the

frontier of the Russian territories in North America, the north to be the 60th parallel of latitude, the east the 120th meridian of west longitude and the summit of the Rocky Mountains.

Vancouver Island was constituted a Crown Colony in 1849. In that year Mr. Richard Blanshard was appointed to the Governorship. He arrived at Victoria from England, *via* Panama, in 1850, but not finding the position what he expected he returned the next year to London. He was succeeded by James Douglas in 1851. Governor Douglas retained his then position of Chief Factor of the Hudson Bay Company, in addition to the Governorship of Vancouver Island Colony.

Lord Lytton, Colonial Secretary of that time, gave great attention to the formation of the new Colony on the Pacific Coast, namely, British Columbia. In one of his despatches he wrote to Governor Douglas:—"You will be empowered both to govern and to legislate on your own authority. * * * With regard to the supposed rights of the Hudson Bay Company I must refer you in even stronger terms to the cautions already conveyed to you by my former despatches. The Hudson Bay Company have hitherto had an exclusive right to trade with Indians in the Fraser River Territory, but they have had no other right whatever. They have had no right to exclude strangers. They have had no right to Government or of occupation of the soil. * * * But to render all misconceptions impossible Her Majesty's Government have determined on revoking the Company's licence (which would itself expire in next May) as regards British Columbia, being fully authorised to do so by the terms of the licence itself whenever a new Colony is constituted. * * * It is the anxious wish of Her Majesty's Government that popular institutions, without which they are convinced peace and order cannot long prevail, should be established with as little delay as practicable; and until an Assembly can be organised (which may be whenever a permanent population, however small, is established on the soil), I think, as I have already stated in a former despatch, that your best course will probably be to form some kind of temporary council, calling in this manner to your aid such persons as the miners themselves may place confidence in."

For the guidance of Governor Douglas, Lord Lytton sent him a despatch containing minute regulations relative to "the disposal of public land for agricultural purposes whenever a demand for it shall arise, at such an upset price as you may think advisable. Foreigners, as such, are not entitled to grants of waste land of the Crown in British Colonies. But it is the strong desire of Her Majesty's Government to attract to this territory all peaceful settlers without regard to nation. Naturalisation should, therefore, be granted to all who desire it, and are not disqualified by special causes, and with naturalisation the right of acquiring Crown land should follow."

It will thus be seen that the foundations of the Government of the Colony of British Columbia were well and carefully laid. Its boundaries were properly defined by Imperial proclamation and Imperial Acts of Parliament. Along the coast of the Pacific Ocean commencing with the Strait of Fuca, passing Nootka and Cape Scott on the west coast of Vancouver Colony, the boundaries swept to the west of Queen Charlotte Islands (over which Sir James Douglas held the appointment of Lieutenant-Governor, in addition to Vancouver Island and the Mainland of British Columbia); *ipso facto*, he was the Governor of the whole region formerly known as "New Caledonia," from the Columbia River to the Arctic Ocean, and it may be safely said that there was not another man living at the time, within that immense country, who could have managed those difficult and conflicting affairs so quietly and successfully as he did.

In the early days when the west coast of British North America was added by exploration, trade and commerce, to the British Empire, the statesmen of that period acted promptly on behalf of British subjects when necessary, as witness the settlement of the Nootka difficulty with Spain in 1789. A message was presented on May 25th, 1790, to both Houses of Parliament, from His Majesty King George III., relative to the capture of certain vessels in Nootka Sound. On the 26th of May the House of Lords passed an address approving of His Majesty's message and restitution was duly made by Spain to John Meares, the owner of the vessels. The extravagant claims of Russia, in 1821, were met with similar firmness.

During the governorship of Sir James Douglas and his successors to the date of Confederation in 1871, the only changes which occurred in relation to the Alaskan Boundary was the lease of the Russian frontier to the Hudson's Bay Company, which was merely a matter of trade convenience between the Russian and British fur companies, and did not in any way affect the territorial phase of the boundary. The next epoch was the purchase of Alaska from Russia by the United States in 1867—that question, unfortunately, as yet remains unsettled.

These historical points which are recapitulated are especially to indicate that the Government of British Columbia, under the British North America Act, section 92, sub-sections (5) to (13), retain all the rights and privileges which they possessed as an independent colony, and that they have hereditary rights respecting Crown lands and property which, if possible, were strengthened by Confederation. The Dominion Government appeared to be simply delegates or trustees between the Provincial Government and the Imperial Government. The conviction is that by joining Confederation in 1871, the Provincial Government strengthened their position at least by being entitled to have a voice in the settlement of the Alaskan Boundary question. Many British Columbians expressed great dissatisfaction at the manner in which the management of that affair has hitherto been dealt with from Ottawa.

At the present time, when action is being taken to have the British Empire extended and consolidated, would it not be unwise to abandon, for mere sentiment, the valuable and extensive area of about thirty thousand (30,000) square miles, or nearly nineteen million two hundred thousand (19,200,000) square acres, which includes some of the best fisheries in the world, besides minerals and timber claimed by the United States and largely squatted upon by their people? Apart from the region above noted, they (the United States) would retain under the treaty Prince of Wales Island, Baranoff, Chicagoff and the Kuiu Groups of Islands, aggregating 6,450 square miles, or four million one hundred and twenty-eight thousand (4,128,000) square acres.

Besides, it is worthy of note that the Canadian Northern Railway, which is now about completed for the transmission of freight between Winnipeg and Fort Frances (Rainy River points), will be open for traffic on that section by the 10th October, 1901, and will eventually be constructed across the continent with a terminus near Fort Simpson and the territory now claimed by the United States. This is worthy of the most serious consideration from a national and strategic point of view.

Herewith I also submit a copy of my "Review" of the Alaskan Boundary question, and reprinted from the June, July and August numbers of the British Columbia Mining Record for the year 1900. I trust you will find it reliable and of service for reference.

A. B.

Appendix No. 1.

9, HUMBOLDT STREET, VICTORIA, B. C.,
12th June, 1901.

The Hon. David MacEwen Elerts,
Attorney-General, &c., &c.

DEAR SIR, - Before the Hon. the Provincial Secretary went to the Mainland recently, I arranged with him to make a trip north to the neighbourhood of the disputed boundary line in south eastern Alaska, to ascertain how our neighbours are acting in that remote region, and to report.

I proceeded as far north as the town of Ketchikan, which has lately been selected by the United States authorities as a landing station and a customs port. It is situated at Tongas Narrows, near the centre of the west coast of the large island Revilla Gigedo, a short distance south of the entrance of the west arm of Behm Canal, leading to Barroughs Bay. The Island of Gravina lies between Ketchikan and Prince of Wales Island, where a townsite has been laid out by the Kasan Bay Mining Company, and where there is a saw-mill and store, with mining prospects extensively carried on. There is a post-office at Kasan and a general store - the only establishment of the sort on Prince of Wales Island. Ketchikan is about thirty miles from Prince of Wales Island.

The United States formerly had their custom house on Mary Island, a few miles south of Ketchikan, and to the east of Annette Island, where the noted Missionary, William Duncan, has settled with his civilised Indian, from Metlakatla. All vessels passing have now to call and report at Ketchikan, going either north or south of Ketchikan, instead of Mary Island as formerly. The new custom house is more central and more convenient for the new town of Kasan on Prince of Wales Island. It is also conveniently situated for the various canneries and mines which are being established along Clarence Strait and the islands along the frontier.

It is not to be wondered at that these adventurers from the United States should have chosen and occupied such favoured localities when they could obtain them by merely squatting on them. The international squatters seem to make themselves as much at home as if the boundary line was finally settled, and that the United States contention and claims were just and legitimate. They have taken the risk, and have secured the immediate advantage. They argue that when the boundary comes to be settled, if the claim of the United States be ratified they will be all right; and, on the other hand, if Great Britain and British Columbia come out according to the Treaty, from Cape Chacon *via* Portland Channel to the ten marine league boundary from the ocean coast, they can live as comfortably under the laws of Great Britain and British Columbia as they could under those of the United States.

They have at Ketchikan a full complement of customs officers—a collector, an inspector, landing waiter, &c., a wharf and warehouses, a legal staff, including judge, clerk, bailiff, constables, attorneys, &c. There is also a well printed newspaper, published weekly, by the ex-Governor of Alaska, A. P. Swineford. It deals with public matters fearlessly. Judging from the large and numerous specimens and cabinets of ores of various kinds on exhibition in brokers' show cases, the surrounding country must be rich in minerals.

The Town of Ketchikan has a salmon cannery established near it, fitted to manufacture 32,000 cases per season. The adjoining land is rocky and limited for building purposes. There are many salmon canneries now being erected at points along the frontier and bays. At Pyramid Harbour there is a cannery equipped to put up 50,000 cases; at Chilkoot, 30 miles distant, one for 15,000 cases; at Klamak, 28,000 cases; at Hunter's Bay, the Pacific Steam Whaling Company outfitted for 60,000 cases; at Yies Bay, the Boston Fishing and Trading Company for 32,000 cases, with lots of fish within 18 miles, but having, the U. S. Agent says, and describes as, the most destructive specimen of trap he ever saw, completely evading the spirit of the law, while conforming to its literal requirements; again, at Loring, in Behm Canal, fitted for 68,000 cases; at Metlakahla, Mr. Duncan's Industrial Settlement Company, a very complete establishment, for 20,000; at Wrangel Narrows, Mr. Kutchin, U. S. Special Agent, pronounces the establishment there of the Ivy Straits Packing Company, practically new and complete in every respect, to be the best in Alaska, equipped for 100,000; it also is engaged in salting, and has caught and put up 200,000 lbs. of halibut last season; at Pritchard's Cove is the saltery of the Great Northern Fish Company of Seattle, which puts up about 12,000 lbs. rels; near Wrangel is the cannery of the Thlinket Packing Company, fitted for 32,000 and one for 55,000, besides a new one of the Roger Warneck Packing Company for 5,000 cases; at Taku, at Port Snettisham, for 12,000 cases, and at Sunny Bay, Taku Inlet, for 10,000 cases. The new cannery of the San Juan Fish and Packing Company, at Taku, Alaska, has a daily capacity of 1,000 cases, and the pack for this year is estimated to reach 40,000 to 60,000 cases. The San Juan Fish and Packing Company was organised in January of this year, with its main office in Seattle. Its officers are: President, W. H. Bogle; Vice-President, J. H. Culvert; Treasurer, Edwin Ripley; Secretary, C. M. Bogle.

It is thus seen that canneries are spreading rapidly in every suitable direction, all over the British Columbia frontier, with the certainty, under such management, that the industry will soon be ruined. This state of affairs, if nothing else, should all loudly for interference with the unwarrantable practices which are destroying the trade of British Columbia, in a measure, and intensifying the injustice of the encroachments by our neighbours, under the shadow of the Treaty of 1825. If Great Britain under the Treaty be entitled to the sovereignty of the north-west coast and frontier of British Columbia, east of the ten marine leagues boundary from the ocean coast, let the matter in dispute be settled, our rights be confirmed and our legitimate trade established. Those squatters may probably continue in the possession of their holdings, but will have no power to dispute the sovereignty of the country, and must conform to the laws of the Crown.

The Government of British Columbia would, I doubt not, be fully justified in passing an Order in Council directing attention to the reckless destruction of Alaska salmon, as reported by the United States Agent, and calling upon the British Government to have the question of sovereignty settled, so that the proper legitimate owners of these valuable fisheries, mines, &c., in the territory now claimed by the United States, should revert to the full possession of British Columbia.

The more this question is considered and defined the more important and pressing the settlement becomes. When the Treaty under discussion was passed many years ago, the whole of the northern portion of the Continent of North America was used only for fur trading

purposes, by the Russian and H. C. Co. fur trading companies. Not much value was attached to that vast territory—there was little at stake in the trade with the natives. Of late years, however, matters have greatly changed, especially in the value and trade of the fisheries and mines in the region now in dispute, and which should not be any longer overlooked or neglected.

I have called the attention of the Hon. the Provincial Secretary to the manner in which our neighbours are continuing to override the Treaty, how our trade is disorganised and our salmon fishing industry is in a fair way of being destroyed.

I have the honour to be,

SIR,

Your obedient servant,

ALEXANDER BEGG.

Appendix No. 2.

The following series of articles, under the heading of "Wholesale Encroachments" were written for the Victoria "Colonist," and appeared in that paper at various times. are reproduced here for the information they contain.

"It will be somewhat of a surprise to many of the readers of the 'Colonist' to be informed that a large business is being carried on by our appreciative neighbours from the south of 'San Juan' boundary, on the lands which they claim as belonging to the United States on the north west frontier of British Columbia, under the Treaty of 1825, between Great Britain and Russia. The United States official reports from a special agent in charge of salmon fisheries, show that salmon canneries of large capacity are erected by the dozen along the bays and harbours of the frontier of British Columbia, although the land is still in dispute.

One of the United States members of the Joint Commission, the Hon. J. W. Foster, ex-Secretary of State for the United States, although the Commission had adjourned and agreed to allow matters connected with the boundary dispute to remain in abeyance, furnished an argumentative article in the November number, 1899, of the "National Geographic Magazine." Many of the statements in that article are incorrect, and could easily be disproved. Mr. Foster maintained, throughout the article referred to, the United States contention of the boundary line by way of Portland Canal. The Edinburgh "Review," April, 1900, in reviewing this subject, says: "The Honourable John W. Foster, ex-Secretary of State, and a member of the International Joint Commission, has taken the somewhat unusual course in a plenipotentiary, during the progress of a negotiation in which he is engaged, of contributing to a magazine an article on the subject of the Alaska Boundary." Gen. Foster visited Alaska in 1900, but, so far as can be learned, he in no way endeavoured to prevent the encroachments of United States citizens on the territory in dispute, until after a decision had been arrived at. The international squatters continued to work on as briskly as ever.

The Joint High Commission made an exhaustive survey of the region from Cape Cox east to the entrance of Portland Canal, and thence along the whole frontier of British Columbia by way of Taku, and northward of Skagway and Dyea—a grand, majestic sweep on paper. On land, however, much of the frontier, especially along the Coast Range, is so rocky and covered with glaciers that the survey had to be made by the aid of the camera. This simplified the engineers' work greatly, but cost hundreds of thousands of dollars, and in reality all to no purpose, as far as the delimitation of the boundary line is concerned, if we are to be guided by the Anglo-Russian Treaty of 1825. (The reports of the Auditor General of Canada show a total expenditure by Canada to 30th June, 1900, of \$38,747 as to the cost of the Joint Commission.) That document, about which so much has been said and written, deals curtly with the subject—gives the initial point—the line of direction, names the channel along which the boundary is to run. The High Commission, that is, the United States members thereof, paid no attention either to the point of commencement (the southernmost point of Prince of Wales Island), or to the direction given—north (from south to north)—it suited them to go due east instead, and contrary to Mr. Carrington's despatch to the British ambassador at St. Petersburg, Sir Charles Bagot, who informed the Russian plenipotentiaries of the instructions, naming Duke of York Island as a landmark. This landmark has had its name since changed to Etolin.

In the treaty they are restricted to a certain point on Prince of Wales Island as the initial point of the treaty. Mr. Bayard commences the boundary on another island some miles west of Prince of Wales Island. The treaty restricts the boundary line to run between the 131st and the 133rd meridians of longitude; whereas Portland Canal is entirely to the east of the 130th meridian, and could not possibly be reached by the description given in the treaty. In the preamble to the treaty, in article III. (page 9, "Review") it reads: "The line of demarcation between the possessions of the high contracting parties upon the coast of the continent and the islands of America, to the north-west, shall be drawn in the manner following: Commencing from the southernmost point of the island called Prince of Wales Island," etc.—note that "the islands of America to the north west" are included; whereas, if the line went by Portland Canal there would be no islands to include. It is also worthy of note that in the deed of cession from Russia to the United States the above clause is omitted.

From the time of the purchase of Alaska by the United States from Russia in 1867, not much was said in reference to it until in 1885, when the late Mr. Bayard, then the United States Secretary of State, through his ambassador in London, Mr. Phelps, made application to Lord Salisbury that a Joint Commission should be appointed to have the Alaskan Boundary question settled. Mr. Phelps' letter to Lord Salisbury was an echo of Mr. Bayard's. Col. Cameron was appointed by the British Government to look after British interests. Unfortunately for Great Britain and British Columbia, Col. Cameron took a view of the subject similar to Mr. Bayard. The direction of the boundary line being changed, and a different body of water, namely, Portland Canal, being substituted for Portland Channel, gave an entirely new aspect to the question, which became so mixed up and muddled that the question could not be understood, which was apparently what Mr. Bayard had in view. The original treaty was scarcely ever referred to; indeed, there was none of it left for reference except that portion running along the 141st meridian of longitude to the Polar Ocean.

The original treaty was thus ignored and the Bayard-Cameron line substituted to proceed directly east from Cape Muzon, a point not included in the treaty, to Portland Canal. Now it so happens that neither on Vancouver's maps or charts was the name Portland Channel marked, but Portland Canal was, so it was decided that the boundary should be made to sweep eastward 50 or 60 miles east, instead of north, and enclose and appropriate a few million acres of land from British Columbia, as well as the frontier and fisheries. Those valuable lands and islands to the east of the treaty boundary, that is, ten marine leagues from the ocean coast north of parallel 56°, as claimed by the United States, are computed to contain from 25,000 to 30,000 square miles of land—or from 16,000,000 to 19,200,000 square acres; still leaving west of the treaty boundary as outlined from the ocean coast—Prince of Wales Island, 2,700 square miles; Baranoff, 1,725 square miles; Chigagoff, 1,725 square miles, and the Kuiu group of islands, 300 square miles—aggregating 6,450 square miles, or 4,128,000 square acres.

The strip of land along the coast of the continent, west of Cross Sound, of ten marine leagues from the ocean coast onward to the 141st meridian, completes what is known as South-eastern Alaska.

Victoria, June 19, 1901.

ALEXANDER BEGG.

In the former article it was shown that, on the ocean coast, six thousand four hundred and fifty (6,450) square miles would accrue to the United States, by sale of Alaska, under the Anglo-Russian Treaty. That large quantity of land and islands bordering on the Pacific Coast, and within the ten marine league boundary, was deemed a generous concession by Great Britain, sufficient to accommodate the requirements of the fur trading Russian Company. This large and exceedingly convenient foothold was secured to them by the treaty of 1825. It was sold by Russia to the United States in 1867, with all its rights and privileges, but nothing more. Russia only could sell her rights under the treaty.

The foregoing approximate number of square miles, which would accrue to the United States by the purchase of Alaska under the treaty, is based and computed on a suggested conventional water boundary from Cape Chacon, northerly, and includes the whole of Prince of Wales Island, the Kuiu Group, Baranoff and Chigagoff, intersecting the strip of land on the northern mainland, and westward to the 141st meridian, as may be agreed on. Such an arrangement would save further expense in surveys and furnish an equitable and practicable boundary, both for the United States and Canada, or British Columbia. It would leave British Columbia in possession of her frontier as it existed prior to the treaty of 1825. Parties

who have taken unwarrantable possession of a portion of British Columbia under the United States flag have done so with their eyes open. They may be permitted to retain their holdings under the British flag and under Canadian laws and regulations, which are generally admitted to be as desirable and safe, for life and property, as those of the United States.

Let us now see how Mr. Secretary of State Bayard manipulated his circuitous boundary, in order to annex to the United States the very large and valuable territory, ten marine leagues from the ocean coast, north of the 56th degree of latitude, as claimed by the United States, and computed to contain from 25,000 to 30,000 square miles of land, or from 16,000,000 to 21,200,000 square acres, still leaving west of the treaty boundary, as outlined from the ocean coast, six thousand four hundred and fifty (6,450) square miles, or four million one hundred and twenty-eight thousand (4,128,000) square acres.

Mr. Bayard, in his application to Lord Salisbury for the appointment of a Joint High Commission, begins very gently by stating he "was not aware that any question concerning the true location of the line so stipulated in the purchase of Alaska, ever rose at any time between Great Britain and Russia, prior to the cession of Alaska." * * * It is certain, he continued, "that no question has arisen since 1867, between the Governments of the United States and Great Britain, in regard to this boundary." This latter statement is fully refuted by the following extracts from a reply by the Premier of British Columbia, Hon. T. Davie, to a question in the Legislative Assembly, Victoria, B. C., February 14th, 1895. The question was:

"What steps, if any, have been taken by the Provincial Government towards having our rights recognized or represented in the delimitation of the Alaska-British Columbia Boundary Line?" The Hon. Mr. Davie said:

"As far back as 1877 the matter had consideration, and from 1883 to 1889 frequent and strong representations were made by the Government of British Columbia to the Government of the Dominion of Canada, respecting the great desirability of having the Alaskan Boundary definitely delimited, under the terms of the treaties governing the same.

"In 1884 a report of the Executive Council, dealing exhaustively with the line of demarcation, as described in the terms of treaty, and urging to have the boundary between British Columbia and Alaska defined without delay, was drawn up and approved 22nd July, 1884 (*See Sessional Papers, B. C., p. 451, 1885*). This report was accompanied by maps and charts.

"An Order in Council, approved November 9th, 1885, reiterating what was advanced in the minute of the previous year, urged on the Dominion Government an early settlement of the question.

"The Committee of Council, November 30th, 1886, having had under consideration the proposal of the Dominion Government to exhibit at the Indian and Colonial exhibition a mammoth map of Canada, and having in view its possible bearing on the disputed boundary line between British Columbia and Alaska, prepared a minute defining their views of the proper location of the line of demarcation, and recommending the same in accordance with the report of July 22nd, 1884, as having its starting point at the southernmost point of Prince of Wales Island, and ascending to the north through the Duke of Clarence Strait, and thence along the western leg of Behm Canal till it strikes the 56th degree of north latitude, instead of as incorrectly on the map of Canada, published by authority in 1880, whereby the line is drawn in an easterly direction to and up Portland Canal, thereby depriving the Crown of a large and valuable territory and important waterway. The committee again urged a speedy settlement of the question.

"In 1887 the question was the subject of strong representations in Executive minutes forwarded to Ottawa, namely, on the 7th of February and the 16th of March, in which the previous minutes were called attention to.

"The American Congress in 1888 made grant for an exploratory survey of the line up the Portland Canal, whereupon representations were made to the Dominion Government protesting against the admission of the point of starting as correct by the American Government, and calling attention to the previous minutes. To this minute, embodying these representations, was attached a memorandum by the late Mr. Justice Gray.

"On February 23, 1888, Mr. Justice Gray was authorised to proceed to Washington to represent the views of the Government of this Province at a meeting where the matter was discussed. Unfortunately, Mr. Gray died before he had submitted his report to the Government.

"Subsequently the Government of the Dominion of Canada, acting conjointly with the Government of the United States, appointed Commissioners for the purpose of ascertaining the physical and other data necessary in finally determining the boundary between Alaska and Canada, and the authority of the Province of British Columbia extending no further than to the representations and recommendations referred to in the foregoing, and the Government having fully expressed their views, no further action on its part was taken to finish the settlement of the matter, except by consent, relating exclusively to the jurisdiction of the main parties to the dispute.

"At a subsequent sitting the following resolution was unanimously passed by the Legislative Assembly of British Columbia: 'Whereas a Commission has been appointed by the Dominion Government, acting conjointly with a Commission appointed by the Government of the United States, for the purpose of delimiting the boundary line between the Territory of Alaska and that of the Dominion of Canada.

"And whereas the Government of the Province of British Columbia have in the past taken active steps in bringing about the measures adopted by the Dominion Government for the location of the line of demarcation, and its early and expeditious determination, and have repeatedly brought to the attention of the authorities at Ottawa the great importance of obtaining all the territory rightfully that of Canada within the term and meaning of the treaty governing the same:

"Therefore, be it enacted, that a respectful address be presented from this House to His Honour the Lieutenant-Governor, praying that he will be pleased to move His Excellency the Governor-General to consider the great desirability of British Columbia being directly represented in the negotiations for the settlement of the boundary line between Canada and the territory of Alaska, and that no effort be spared to secure for this province all that was originally contemplated under the terms of the treaty of Great Britain with Russia."

The newspaper report on the above resolution says:—

"The mover explained that the Dominion Government does not appear to grasp all the points in connection with the matter.

"Hon. Mr. Turner (Minister of Finance) recognised this as an opportune resolution, as it would be a matter of great importance to this country to have the southern boundary of Alaska laid out as defined in the original treaty, instead of according to the incorrect version made by the United States, which the Dominion appears to have adopted.

"Mr. Hunter (civil engineer) stated that he had called the attention of the Dominion Government to the mistake in the United States version of the treaty so long ago as 1877, when Hon. Edward Blake was Minister of Justice; but though that Government was fully advised of the matter, strange to say, no steps have been taken to correct the mistake. Resolution agreed to."

The resolution referred to was forwarded to the Governor-General at Ottawa, and dealt with according to the following extract from a report of the Honourable the Privy Council, as approved by His Excellency on March 25, 1895:

"The Minister of the Interior, to whom the question was referred, states that the existing Commission under the Convention at Washington has for its object the ascertainment of the facts and data necessary for the permanent delimitation of the existing boundary line in accordance with the spirit and intent of the existing treaties in regard to it between Great Britain and Russia." Also the closing paragraph I. of the Convention reads: "The high contracting parties agree that, as soon as practicable after the reports of the Commissioners shall have been received, they will proceed to consider and establish the boundary line in question.

"It appears, therefore, that there is no need for the direct representation of the Province of British Columbia upon the present Commission, which is charged with the duty of collection of facts, particularly with respect to the topographical features of the region in question.

"The Minister recommends that this view of the case be brought to the attention of the Government of British Columbia with the assurance that care will be taken to guard the interests of the Province in any action which may be taken after the reports of the present Commissioners, which are to be rendered to the Governments of Canada and the United States on 31st December, 1895, have been received."

From the foregoing it is evident that Mr. Bayard's statement that "no question has arisen between the Governments of the United States and Great Britain since 1867, concerning the

true location of the boundary," is proved to be incorrect. If his subsequent statements do not prove more reliable than the first, they cannot evoke much confidence. We shall see.

The President of the United States in Mr. Bayard's time, as well as in the year 1872, under President Grant, advocated the delimitation of the boundary line. In his annual message, President Grant said: "The region is now so sparsely occupied that no conflicting interests of individuals or of jurisdiction is likely to interfere to delay or embarrass the actual location of the line. If deferred until population shall enter and occupy the territory, some trivial contest of neighbours may again array the two Governments in antagonism. I therefore recommend the appointment of a Commission to act jointly with one that may be appointed on the part of Great Britain, to determine the line between our territory of Alaska and the coterminous possessions of Great Britain." Since that time the condition of increasing settlement apprehended by President Grant has assumed marked proportions. In the judgment of the President, "the time has now come for an understanding between the Government of the United States and that of Her Britannic Majesty, looking to the speedy and certain establishment of the boundary line between Alaska and British Columbia. And this necessity is believed to be the more urgent, inasmuch as the treaty line is found to be of uncertain, if not impossible, location for a great part of its length.

Let the treaty be divested of the propositions, changes and additions attached to it by Mr. Bayard, and it is neither "uncertain nor impossible of location for a great part of its length." With those changes, additions, etc., and because it is required to run not according to the course laid down by its framers—east for many miles instead of north—it is set down as "impossible." What else could be expected? Is water expected to run up hill without a force pump?

ALEXANDER BEGG.

June 22nd, 1901.

Following up Mr. Bayard's letter of November, 1885, to Mr. Ambassador Phelps, it is of primary importance to ascertain if it be based on correct premises. There is no use in dealing with statements which are not founded on facts. In the letter under review, there is nothing on which to build except the initial point at Cape Chacon. The language of the treaty is correctly quoted by Mr. Bayard that: "The said line shall ascend to the north along the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of north latitude." Beyond this the treaty boundary disappears. It does not suit Mr. Bayard's theory.

No one disputes the correctness of the paragraph which states "so far as relates to the water boundary, and it is to be remembered as already remarked, that the line so described was intended to leave Prince of Wales Island Russian territory in 1825, and a possession of the United States in 1867." But Mr. Bayard is decidedly in error by stating that "no record has been found in print or otherwise so far as sought, of the circumstances attending the drawing up of the Anglo-Russian convention of 1825, which would throw light on the understanding of the negotiators of this point"; but is correct in stating, "it may be assumed with confidence that the charts employed in the negotiation were those of Vancouver."

Sir Charles Bagot was the British ambassador at St. Petersburg in 1824, in charge of the convention. His despatches to and those from the Right Hon. George Canning, were frequent and distinct on the subject of the boundary line—its direction, course, etc., which flatly contradicts Mr. Bayard's statement that no such record existed. A despatch from Mr. G. Canning to Sir Charles, dated 12th June, 1824, unmistakably says: "His Majesty's Government have resolved to authorise Your Excellency to consent to include the south points of Prince of Wales Island within the Russian frontiers, and to take, as the line of demarcation, a line drawn from the southernmost point of Prince of Wales Island, from south to north, through Portland Channel till it strikes the Mainland in latitude 56 degrees; thence following the sinuosities of the coast along the base of the mountains nearest the sea to Mount Elias, and then along the 139th degree of longitude to the Polar Sea." The language of the treaty as signed by the plenipotentiaries, corresponds very closely to the directions sent by Mr. Canning.

It does not affect the question in the slightest degree, that Cape Muzon, Cape Chacon, or the mouth of Portland Inlet should each be 54 degrees 40 minutes north latitude. The treaty only specified Cape Chacon, the southernmost point of Prince of Wales Island, so that another

statement in Mr. Bayard's letter that 54 degrees 40 minutes enters the mouth of Portland Inlet, and "that the most navigable channel trends thence directly inland, lend reason and force to the conviction that it was the intention of the negotiators that the boundary line should directly follow the broad and natural channel midway between the shores (presumably Portland Canal) and extend, if need were, inland in the same general direction until the range of hills, hereafter to be considered, should be reached (as appears in Vancouver's chart) at or near the 56th parallel," is of no effect.

Mr. Bayard overlooks the fact that the treaty, which he has quoted in his letter, limits the treaty to between the 131st and 133rd meridians of west longitude, whilst Portland Canal, which is quoted above as extending inland to near the 56th parallel, is east of the 130th meridian, and cannot be the "broad and natural channel" which it is supposed or stated to be. Yet Mr. Bayard adroitly writes: "It is not therefore conceived that this water part of the boundary line can ever be called in question between the two Governments!!"

Then, again, there is an inclosure in Sir Charles Bagot's despatch to the Rt. Hon. G. Canning, dated St. Petersburg, 17th March, 1824, which is Sir Charles Bagot's ultimate decision to the Russian plenipotentiaries. It contains the following paragraph: "It would appear that a line traced from the southern extremity of the straits named Duke of Clarence Sound (now known as Clarence Strait), by the middle of those straits, to the middle of the straits that separate the islands of the Prince of Wales and the Duke of York and the islands situate to the north of the said islands; thence towards the east by the middle of the same strait to the continent; and thence prolonged in the same direction and manner already proposed by His Britannic Majesty's plenipotentiary to Mount Elias, or to the intersection of the 140th degree of longitude (since changed to the 141st degree) would form a line of demarcation which would conciliate, perhaps, in a satisfactory manner, the reciprocal interests, present and future, of both empires in this part of the globe."

The reference made to Duke of York Island by Sir Charles Bagot may be taken as corroborative evidence that the boundary line was intended to pass that island to the continent at the 56th parallel of latitude. That being the case the boundary could not have its course by Portland Canal. It is singular that Duke of York Island has been robbed of its name, and the name "Etolin" given to it instead. There may be some sinister motive in that change, which apparently should not have been made. Another item of corroborative evidence may be drawn from the statement in the treaty that the boundary should pass between the 131st and the 133rd lines of longitude—which, as pointed out elsewhere would not allow it to pass by Portland Canal, as that body of water is east of the 130th meridian, and could not be reached. Portland Canal, therefore, must be abandoned as the eastern boundary of south-eastern Alaska, and Clarence Strait adopted.

ALEXANDER BEGG.

29th June, 1901.

A short recapitulation of a few of the salient points connected with "Wholesale Encroachments" on the north-west frontier of British Columbia, as elucidated in three former chapters under the above heading, may form a fitting corollary to the aforementioned articles on the subject. The Anglo-Russian Treaty of 1825 was duly passed, and received the sanction of the Emperor of Russia and his Britannic Majesty, King George IV. The four large islands which covered the whole frontier of British Columbia, on the Pacific Ocean coast, were ceded to Russia by the treaty referred to, and furnished the Russian Fur Company with sufficient and convenient lands as a base of operation for the fur trade, or any other industry in which they might choose to engage.

Those islands, taken together, contain, approximately, about 4,128,000 square acres. The treaty also includes a strip of land of ten marine leagues from the ocean coast, between Cross Sound and Mount Elias, and thence created the 141st meridian of west longitude, the boundary between British and Russian possessions in that portion of the North American Continent, reaching to the Arctic Ocean, all of which appeared to be quite satisfactory to "the high contracting parties," for many years after the treaty had been passed.

The United States, in the year 1867, purchased from Russia all the land and islands, with their rights and privileges, as set forth in the treaty and passed in 1825. It is thus seen, that for over 40 years the treaty of 1825 was fully accepted both by Russia and Great Britain. Possession was promptly taken by the United States, by lowering the Russian flag at Sitka

and hoisting the Stars and Stripes. A few United States soldiers were stationed at Fort Wrangel and Fort Tongas, but were subsequently recalled, as useless.

Affairs in this remote region remained with the boundary line undefined until 1865, when Mr. Bayard by a *coup-de-main* made an adroit effort to change the direction of the line of demarcation from Cape Chacon, instead of north along the channel (called Portland Channel) according to the treaty, to make it run east, and make Portland Canal the line of demarcation. Lord Salisbury, through the United States Ambassador in London, Mr. Phelps, was asked for a Joint Commission to define the location of the boundary line, which was granted, and here the glaring injustice to Great Britain commences.

Although the treaty, as plain as words can make it, and repeated in the cession to the United States from Russia, says north as stated, Mr. Secretary Bayard decided on changing the direction of the line of demarcation, which, according to the treaty and cession to the United States is described as ascending from Cape Chacon, along Portland Channel, from south to north; Mr. Bayard, not content with the liberal provision made to Russia and the Fur Company, decided that the line should first proceed east some 50 or 60 miles to Portland Canal, and then run north. The name Portland Channel was parodied to suit the new line of direction, and to form a loop that would enclose, exclusive of the islands, ten marine leagues from the ocean coast, about 20,000,000 square acres of land, including fisheries, timber and minerals, as well as several important strategical points or stations near Fort Simpson and Observatory Inlet.

The fundamental error and mistake is the substitution of, and changing the location of, the waters called Portland Channel in the treaty to Portland Canal, which has been clearly shown, that being entirely to the east of the 131st meridian of longitude, and outside of the limit mentioned in the treaty, cannot possibly be accepted as correct, or be ratified as the south-eastern boundary of Alaska.

It is unnecessary to refer further to the full replies of Premier Davie to the query of the Legislature of British Columbia; but it may be of value to note that on the mammoth map of Canada, exhibited at the Colonial Exhibition, London, the Alaskan Boundary is referred to as incorrect. The same objection has been raised to the mammoth map of Canada, which has been exhibited in 1900 at Paris. Details of minor import will doubtless be duly dealt with. The sovereignty of the frontier of British Columbia remains to be permanently ratified in justice to Great Britain. There need be no difficulty or hardship in arranging with the squatters who have taken up locations. The arbitration fiat will be sufficient to settle the whole affair if decided in favour of the United States claim, the citizens of that country will have their claims and improvements undisturbed; and if in favour of the contention of Canada, there can be no trouble.

ALEXANDER BEGG.

July 6th, 1901.

The Cameron Line.

(From the *Orrillia Weekly Times*, 24th June, 1896.)

Considerable misapprehension exists as to what is really meant by "The Cameron Line," in the article headed "The Alaska Boundary Question," which appeared in the May number of the *Century* (1896), over the signature "Eliza Ruhamah Seidmore."

Although it is not at all certain that such a line is in existence, yet it is of interest to ascertain as far as possible, how it came to be named in connection with the Anglo-Russian Treaty of 1825. An examination of the subject shows that in 1885 or 1886, Colonel D. R. Cameron, R.A., was commissioned by the British Government to report on the Alaskan boundary. He did so, and submitted his report in 1866. In the opening paragraph of that report he says:

1. "The matter aims at a demonstration of the intentions of the framers of the Convention, founded upon records of the negotiations, maps, charts, and the wording of the treaty itself, and brings into contrast with the conclusions thus arrived at, views inconsistent with them, and based, it is believed, on imperfect information."

2. "The interpretation of the Convention, supported by the arguments now submitted, will be found to be an unstrained and natural version of the terms of the treaty, consistent in every respect with the inferences to be drawn from the records of the negotiations, and not inconsistent in any single point with the geographical features referred to."

3. "On the other hand, it is shown that the alternative interpretations abound with untenable assumptions, improbabilities, inconsistencies and contradictions. These support the view that the treaty description of the boundary in every detail except as regards the meridian line to the Arctic, is inaccurate, incomplete or impracticable."

4. "The interpretation maintained in this report to be that intended by Great Britain is precise and definite; and consistently with the attitude of the contracting parties at the date of this Convention, indicates a line easier to be recognised and marked than any other which could even now be described in words."

It will thus be seen that Colonel Cameron outlined an extensive programme for his report. Unfortunately, however, it was not well carried out, for he soon fell in line with Mr. T. F. Bayard, Secretary of State at Washington, who, on the 20th of November, 1885, sent a despatch to the United States ambassador at London, E. J. Phelps, instructing him to ask the British Government, through Lord Salisbury, then Premier and British Secretary of State for Foreign Affairs, for permission to have a joint commission appointed, for the purpose of obtaining a settlement of the boundary line between Alaska and British Columbia, which had been neglected since the purchase of Alaska from Russia by the United States in 1867.

Mr. Bayard's request to have a Commission appointed was granted; and, as formerly mentioned, Colonel Cameron was chosen to report on the subject. In his instructions to Mr. Phelps, Mr. Bayard indicated the line of demarcation which he desired to have observed in defining the location of the boundary; but in so doing, as will be seen by further examination, he departed from the line as described in the Treaty, and instead of following it, he discredited and ignored it altogether, at least as far as it reads:—"the said line shall ascend to the north, from the southernmost point of Prince of Wales Island, strikes the channel called Portland Channel, as far as the point of the continent where it strikes the 56th degree of latitude," etc., thus creating a new line almost due east from the southernmost point of Prince of Wales Island to Portland Canal.

To point out Mr. Bayard's error, and also that of Colonel Cameron following him, it will only be necessary to quote a few of the arguments used by Sir Charles Bagot, the British Plenipotentiary at St. Petersburg, when discussing the Convention with the Russian Plenipotentiaries. Russia claimed, along with a strip of land along the coast, the whole of Prince of Wales Island; and also desired that Portland Canal should form the eastern boundary of Russian America, south of the strip of land along the coast.

Several proposals and counter propositions passed between the plenipotentiaries, they were reduced to writing, marked A, B, C, D, and E, and sent along with a despatch from Sir Charles Bagot to the Right Honourable George Canning, who was then (March, 1824) British Secretary of State for Foreign Affairs. The answer of Sir Charles to the Russian plenipotentiaries, in the paper marked "D," contained his final decision on the subject. In it he described the route of the proposed line of demarcation. He deals also with the Portland Canal question, pointing out conclusively that the channel called Portland Channel in the Treaty of 1825, is not the same body of water as the inlet named Portland Canal by Vancouver in 1793. This should be distinctly kept in view, as it simplifies the whole affair and unravels the difficulty which the substitution of the one name for the other has tended to produce.

In referring to the proposed line as his ultimate decision, Sir Charles, in statement marked "D," says:—"It would appear that a line traced from the southern extremity of the straits named Duke of Clarence Sound, by the middle of those straits to the middle of the straits that separate the Islands of Prince of Wales and the Duke of York from all the islands situated to the north of the said islands, thence towards the east by the middle of the same straits to the continent, and thence prolonged, in the same direction and manner already proposed by His Majesty's Plenipotentiary, to Mount Elias, or to the intersection of the 140th (changed to 141st) degrees of longitude, would form a line of demarcation which would conciliate, perhaps, in a satisfactory manner, the reciprocal interests, present and future, of both Empires in this part of the globe."

Referring in the same statement "D" to the Russian claim for land on the coast of the continent and to the propriety of making Portland Canal the eastern limit of the Russian frontier, Sir Charles argues:—"It is a principle which is founded no less on the recognised

opinion of the most celebrated jurists than on the universal custom observed between nations, that the discovery or simple occupation of any islands situated on the coast of a continent gives no right whatever to the sovereignty of any part of the neighbouring mainland.

According to this principle, Sir Charles Bagot always maintained in the conferences he had the honour of having with the Russian Plenipotentiaries that His Britannic Majesty could not admit that the rights of Russia on the north west coast of the continent of America should extend towards the south, on the continent, beyond the point where Russia has actually formed establishments.

"It has never been affirmed by the Plenipotentiaries of His Imperial Majesty that Russia possessed any establishments whatever on the mainland south of north latitude 60° or 59°, but they have declared that, deprived of a strip of land on the mainland, the Russian American Company would have no means of supporting the establishments on the islands, which would otherwise be without any support, assistance or solidity.

"Such arguments founded on the consideration of the practical convenience of Russia, could not fail to have the greatest weight with the Plenipotentiary of His Britannic Majesty, who did not hesitate, in consequence of this observation of the Plenipotentiaries of Russia, to abandon the line of demarcation he had at first proposed, viz., that which was to pass through the middle of Chatham Straits to the northern extremity of Lynn Canal, and from thence to Mount Elias, or at the intersection of the 140th degree of longitude, and to propose another which would not only assure to Russia a strip on the continent, opposite to the most southern establishment which she possesses on these islands, but would also assure to her the possession of all the islands and waters that are placed between this establishment and the continent, in fact the possession of all which might become, in consequence, of any utility either for its solidity or prosperity.

"But the Plenipotentiary of His Britannic Majesty cannot admit that Russia could accord or assure to His Britannic Majesty a new advantage by renouncing any part of the coast between the mouth of Portland Canal and the degree of latitude looked upon as the limit of the Russian possessions in the Ukase of 1821, by renouncing any part of the coast south of the establishments which have been formed there; for even though His Britannic Majesty might recognise that degree of latitude as forming the line of demarcation in regard to the islands, he could not, according to the principle formerly enunciated, have recognised it as the limit on the neighbouring Continent, on which the Hudson Bay Company had already established several important posts.

"That Company having, in effect, establishments near the coast north of the 55th degree, His Britannic Majesty could not, therefore, without sacrificing the interests of the Company, relinquish the rights of sovereignty over the coast and the islands that immediately adjoin it, up to the 56° 30' north latitude, whichever might be the degree of latitude found convenient to be agreed on to be definitely taken as the limit between the two powers, as far as concerns the islands farther west.

"The origin of the Portland Canal may be, as there is reason to believe, the mouth of a river which flows through the middle of the country occupied by the Hudson Bay Company, and it is, in consequence, of the highest importance for Great Britain to possess the sovereignty of the two banks.

"It was in the hope, therefore, of being able to conciliate these objects, considered indispensable by the Imperial Government, and to determine, without more delay, a question which appeared of equal interest to both parties, to arrange definitely at the time which the Plenipotentiary of His Britannic Majesty had the honour to propose in his last conference with the Plenipotentiaries of Russia, a line of demarcation, which, while conserving to Russia for a southern limit on the islands the degree of latitude designated by the Ukase of 1799, would assign, at the same time, to Great Britain, for a limit on the mainland latitude of 56° 30'."

The Russian Plenipotentiaries refused to sign the treaty as proposed by the British Plenipotentiary. On July 12th, however, Mr. Canning sent a despatch to Sir Charles, which contained the following extracts:—

"His Majesty's Government have resolved to authorise Your Excellency to consent to include the south points of Prince of Wales Island within the Russian frontiers, and to take as a line of demarcation a line drawn from the southernmost point of Prince of Wales Island, on south to north through Portland Channel, till it strikes the mainland in latitude 56°; and following the sinuosities of the coast along the mountains nearest the sea to Mount St. Elias, and thence along the 139th (afterwards extended to the 141st) degree of longitude to the Polar Sea.

"The advantages conceded to Russia by the line of demarcation traced out in this Convention are so obvious as to render it quite impossible that any objection can reasonably be offered on the part of the Russian Government to any of the stipulations in our favour."

In face of the foregoing liberal, plain, pointed, statesmanlike documents, where does the "boomerang" boundary of Mr. Bayard come in? Sir Charles left the Russian Court at St. Petersburg before the treaty was signed. No material change was made in the Convention before the arrival of Mr. S. Canning, who succeeded Sir Charles in December, 1824, and who carried with him to St. Petersburg a special letter of introduction from His Britannic Majesty to the Emperor of all the Russias, with instructions to resume the unfinished work of the Convention where it had been left by the former Plenipotentiary. Nothing further is heard of the Portland Canal boundary until after the signing of the Treaty in 1825, nor for many years afterwards, until 1867. It may, therefore, pertinently be asked where and how does the "boomerang" boundary come in?

The following extract from Colonel Cameron's report will, perhaps, explain what he meant by the "unstrained and natural version of the treaty, supported by his arguments." (*See* paragraph L.) It treats of the "great circle," and says: "It has already been explained that the southernmost point of Prince of Wales Island and the Portland Canal, as regulating the boundary line, were adopted on the suggestion of the Russian plenipotentiaries, as well-marked geographical features, etc." It is not according to fact to state that this portion of the line had been adopted, the very reverse is stated by Sir Charles Bagot, who says "it is of the highest importance for Great Britain to possess the sovereignty of the two banks," (of the Portland Canal).

The report continues: "Under these circumstances it follows that the boundary described by the convention of 1825 as 'à partir du point le plus meridional de l'île dite Prince of Wales, * * * La dite ligne remontera au nord le long de la passe dite Portland Channel,' follows the course of a great circle between the south of the Prince of Wales Island and the centre of the Portland Canal ocean entrance. Such a line is the most direct that can be drawn on the earth's surface between any two named terminal points. All points on it viewed from either extremity appear to be what would be popularly described as *in line*. It is consequently the simplest." It is simply amazing!

Another auxiliary is brought to bear in straightening up Portland Canal to accommodate the new boundary, namely, the medial line. Respecting it the report says: "Probably as strict a practical definition of a medial line suitable to the case under discussion is that it shall be a line so placed between the opposite canal boundaries that lines intersecting it at right angles, and limited by the opposite boundaries, shall be bisected by it. The characteristic of such a line is that were a vessel moving along it the boundaries of the canal would be equidistant on the vessel's beams. Yet the definition fails to satisfy the problem under the circumstances of sudden or angular change of direction, or of breadth in the canal, and requires to be supplemented by the following: "Where the application of the foregoing definition fails to give a continuous line, a conventional medial line shall be agreed upon, so as to connect the adjacent extremities of the interrupted lines described in accordance with the definition."

On the principle that you must "catch your hare before you can cook it," it is probable that the application of both the great circle and the medial line may be quite unnecessary, for *both banks* of Portland Canal were and yet are of importance to Great Britain, therefore she did not relinquish them at the suggestion of the Russian plenipotentiaries; nor is it at all likely that the suggestion of 1885-6 will be any more successful.

It may be all very well for Colonel Cameron to stand on Cape Chacon, as if hypnotised by Mr. Bayard and throw the "boomerang" east to Portland Canal; but the wonderful missile will circle around by the 56th degree, until it returns of its own accord and falls harmlessly behind the operator at Cape Muzon. The treaty boundary will not be affected in the least, as it goes north (from south to north), along Clarence Strait and Ernest Sound (called Portland Channel in the treaty), until it reaches the continent at 56 degrees, as outlined by Sir Charles Bagot and confirmed by the Right Hon. George Canning.

ALEXANDER BEGG.

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